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**House Bill 5064 (As Introduced)**

**Topic:** Toilet Facilities on Construction Sites  
**Sponsor:** Representative Meadows  
**Co-sponsors:** Representatives Kathleen Law, Alma Smith, Vagnozzi, Gonzales, Clack, Miller, Brown, Condino, and Valentine

**Committee:** Regulatory Reform

**Date Introduced:** July 25, 2007

**Date of Summary:** April 28, 2008

The bill adds a new section to the Michigan Occupational Safety and Health Act to require general contractors to provide at least one toilet facility for each 10 employees working at a construction site. If a permit is required for construction, renovation, or demolition, the appropriate enforcing agency is prohibited from issuing the permit unless compliance with the toilet requirement is demonstrated. This compliance may be designated by one of the following:

- A written agreement signed by both the person requesting the permit and a toilet facility provider, or
- A written agreement or affidavit demonstrating a valid exemption.

Each toilet facility is required to be operational; maintained in a clean and sanitary condition; and provided with water, hand soap or some similar cleansing or disinfecting agent, and toilet paper.

A general contractor violating the requirement would be cited and would be responsible for the civil penalty provided by the bill. A third party contract or agreement that purports to assign the general contractor's compliance obligation is void.

The bill contains several exemptions:

- A private residential property owner or tenant performing construction, renovation, or demolition on his or her property. This exemption is conditional on a signed written statement or affidavit making toilet facilities available for use by employees and toilet facilities are available on the property for the duration of the project.
- A general contractor is exempt if the property owner has signed a written statement or affidavit making toilet facilities available to employees working on the property and the toilet facilities are available on the property for the duration of the project.
- A general contractor for a county road commission or the Michigan Department of Transportation is exempt for a construction crew working on a public road.